

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, February 3, 2004, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner (via telephone)

APPEARANCE

Eric Eck
Utility Division

(33) In the matter of MDU Resources Group, Inc. - Docket No. D2004.1.4: On January 16, 2004, MDU applied for authority to issue an additional 1.5 million shares of the Company's Common Stock to be issued from time to time in connection with the Company's Option Award Program. In Docket No. D99.12.285, Default Order No. 6222, the Commission authorized the Company to issue up to 420,000 shares of Common Stock for this program. The Company requests that the authorization requested in the filing permit the Company to issue and sell the Common Stock from time to time, in one or more transactions, until all the shares specified in this application have been issued. A default order has been drafted.

Commissioner Schneider moved to authorize MDU's request. Commissioner Jergeson seconded the motion, which passed 4 to 1. Commissioner Stovall dissented.

APPEARANCE

Scott Fabel
Utility Division

(34) In the matter of Sprint Communications Co. - Docket No. N2004.1.9: On January 20, 2004, Sprint filed a change to its Price List No. 1. The purpose of this filing is to remove Monthly Recurring Charge (MRC) from tariff and replace it with the sentence pointing to the interstate rates and conditions web address.

Commissioner Stovall moved to approve Sprint's filing. Commissioner Schneider seconded the motion, which passed 5 to 0.

APPEARANCE

Wayne Budt, Administrator
Transportation/Centralized Services Division

(35) In the matter of TN2209 - Marvin R. Black, Jr. dba Shelby Services, Shelby, Montana requests permission to suspend PSC No. 9442 for a six month period, February 3, 2004 to August 3, 2004.

Commissioner Jergeson moved to grant the request to suspend PSC No. 9442 for the time period stated above. Commissioner Brainard seconded the motion, which passed 5 to 0.

(36) In the matter of the approval of Commission Minutes; Commissioner Brainard moved to approve the

Commission Minutes for the week of January 26, 2004. Commissioner Schneider seconded the motion, which passed 5 to 0.

APPEARANCE

Monica Tranel

(37) In the matter of the Commission's discussion of Qwest Long Distance (QLD) - Docket No. D2002.12.153:

Commissioner Schneider moved to suspend the filing of intervenor testimony and suspend the procedural schedule until after the order is issued in the QLD docket. Commissioner Jergeson seconded the motion, which passed 5 to 0.

APPEARANCE

Al Brogan

(38) In the matter of the Commission's discussion of Havre Pipeline Company - Docket No. D2003.8.101:

Commissioner Jergeson moved to issue a notice of opportunity to request a hearing with responses due within 10 days of issuance of the notice. Commissioner Schneider seconded the motion, which passed 5 to 0.

Commissioner Jergeson moved to vacate the March 3 procedural date. Commissioner Brainard seconded the motion, which passed 5 to 0.

APPEARANCE

Robin McHugh, Will Rosquist

(39) In the matter of the Commission's discussion of NWE Default Electricity Supply Resource Procurement Plan:

Commissioner Rowe moved to issue a notice with an opportunity to intervene within 10 days instructing staff to set an initial conference with interested parties, including URL, and explain the opportunity to comment electronically or in writing, and with the conference discuss scheduling, the process in general, and workshops. Also a notice indicating Commission to set public meetings to explain the various ways to comment on the plan including the URL planned website. Commissioner Brainard seconded the motion, which passed 3 to 2. Commissioner Stovall and Commissioner Schneider dissented.

APPEARANCE

Al Brogan, Robin McHugh

(40) In the matter of the Commission's discussion of NWE Bankruptcy - Placeholder to get direction on any matter related to the bankruptcy:

Commissioner Jergeson moved that Commission staff proceed with continued negotiation concerning treatment of the DUKE contract and prepare a limited objection that may be filed if necessary. Commissioner Brainard seconded the motion, which passed 5 to 0.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, February 5, 2004, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner (via telephone)
Greg Jergeson, Commissioner
Jay Stovall, Commissioner (via telephone)

APPEARANCE

Robin McHugh, Marla Larson

(41) In the matter of the Commission's discussion of the Attorney General's Petition for Investigation - Docket No. D2003.7.87:

Commissioner Schneider moved to direct staff to prepare a draft order opening an investigation into electric transactions on the western grid, ultimately affecting retail customers from January 2000 to January 2002. Commissioner Stovall seconded the motion, which passed 5 to 0.

APPEARANCE

Mike Lee, Scott Fabel, Monica Tranel

(42) In the matter of the Commission's discussion of Qwest Long Distance - Final Order - Docket No. D2002.12.153:

Commissioner Schneider moved to adopt the order, based on modifications discussed and circulation of a draft final order. Commissioner Brainard seconded the motion, which passed 4-1. Commissioner Jergeson dissented.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)